

EXHIBIT 1

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

ASHINC Corporation, *et al.*,¹

Debtors.

Chapter 11

Case No. 12-11564 (CSS)
(Jointly Administered)

CATHERINE E. YOUNGMAN, LITIGATION
TRUSTEE FOR ASHINC CORPORATION, ET AL., AS
SUCCESSOR TO THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS OF ASHINC
CORPORATION, AND ITS AFFILIATED DEBTORS,

Plaintiff,

Adv. Proc. No. 21-51179-CSS

v.

YUCAIPA AMERICAN ALLIANCE FUND I, LLC,
YUCAIPA AMERICAN MANAGEMENT, LLC,
AMERICAN AIRLINES MASTER FIXED BENEFIT
PENSION PLAN TRUST, AMERICAN PRIVATE
EQUITY PARTNERS II, LP, AUTOMOTIVE
MACHINISTS PENSION TRUST, BOARD OF FIRE
AND POLICE PENSION COMMISSIONERS OF THE
CITY OF LOS ANGELES, CALIFORNIA PUBLIC
EMPLOYEES' RETIREMENT SYSTEM,
CARPENTERS PENSION TRUST FUND FOR
NORTHERN CALIFORNIA, COLLIER PARTNERS 702
LP INCORPORATED, CLOUSE S.A.,
CONSOLIDATED RETIREMENT FUND, IAM
PRIVATE EQUITY, LLC, ILGWU DEATH BENEFIT
FUND 4, INTERNATIONAL SIF SICAV SA, LOCALS
302 & 612 OF THE INTERNATIONAL UNION OF

¹ The Debtors in these cases, along with the federal tax identification number (or Canadian business number where applicable) for each of the Debtors, are: ASHINC Corporation (f/k/a Allied Systems Holdings, Inc.) (58-0360550); AAINC Corporation (f/k/a Allied Automotive Group, Inc.) (58-2201081); AFBLLC LLC (f/k/a Allied Freight Broker LLC) (59-2876864); ASCCO (Canada) Company (f/k/a Allied Systems (Canada) Company) (90-0169283); ASLTD L.P. (f/k/a Allied Systems, Ltd. (L.P.)) (58-1710028); AXALLC LLC (f/k/a Axis Areta, LLC) (45-5215545); AXCCO Canada Company (f/k/a Axis Canada Company) (875688228); AXGINC Corporation (f/k/a Axis Group, Inc.) (58-2204628); Commercial Carriers, Inc. (38-0436930); CTSINC Corporation (f/k/a CT Services, Inc.) (38-2918187); CTLLC LLC (f/k/a Cordin Transport LLC) (38-1985795); F.J. Boutell Driveway LLC (38-0365100); GACS Incorporated (58-1944786); Logistic Systems, LLC (45-4241751); Logistic Technology, LLC (45-4242057); QAT, Inc. (59-2876863); RMX LLC (31-0961359); Transport Support LLC (38-2349563); and Terminal Services LLC (91-0847582). Debtors address for service of process is 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.
128035975.3

OPERATING ENGINEERS – EMPLOYERS
CONSTRUCTION INDUSTRY RETIREMENT TRUST,
LOS ANGELES CITY EMPLOYEES’ RETIREMENT
SYSTEM, NATIONAL RETIREMENT FUND, NEW
MEXICO STATE INVESTMENT COUNCIL, NEW
MEXICO STATE INVESTMENT COUNCIL LAND
GRANT PERMANENT FUND, NEW MEXICO STATE
INVESTMENT COUNCIL SEVERANCE TAX
PERMANENT FUND, NEW YORK CITY
EMPLOYEES’ RETIREMENT SYSTEM, NEW YORK
CITY FIRE DEPARTMENT PENSION FUND, NEW
YORK CITY POLICE PENSION FUND, NORTHEAST
CARPENTERS PENSION FUND, PACIFIC COAST
ROOFERS PENSION PLAN, SANBA II INVESTMENT
AUTHORITY, STATE STREET BANK AND TRUST
COMPANY (AS TRUSTEE ON BEHALF OF
AMERICAN AIRLINES MASTER FIXED BENEFIT
PENSION PLAN TRUST); STEAMSHIP TRADE
ASSOCIATION OF BALTIMORE, INC. –
INTERNATIONAL LONGSHOREMEN’S
ASSOCIATION (AFL-CIO) PENSION FUND,
TEACHERS’ RETIREMENT SYSTEM OF THE CITY
OF NEW YORK, UNITED FOOD AND
COMMERCIAL WORKERS INTERNATIONAL
UNION PENSION PLAN FOR EMPLOYEES,
WESTERN CONFERENCE OF TEAMSTERS
PENSION TRUST

Defendants.

**STIPULATION FURTHER EXTENDING THE DEADLINE TO RESPOND TO
LITIGATION TRUSTEE’S COMPLAINT TO (I) AVOID AND RECOVER
AVOIDABLE TRANSFERS, AND (II) FOR A DECLARATION OF
LIABILITY AGAINST YUCAIPA AMERICAN ALLIANCE FUND I, LLC**

This Stipulation is entered into by and between Plaintiff Catherine E. Youngman, in her capacity as the Litigation Trustee and Plan Administrator for ASHINC Corporation and related debtors (the “Trustee” or “Plaintiff”), and Defendants American Airlines Master Fixed Benefit Pension Plan Trust, American Private Equity Partners II, LP, Automotive Machinists Pension Trust, Board Of Fire And Police Pension Commissioners Of The City Of Los Angeles, California

Public Employees' Retirement System, Carpenters Pension Trust Fund For Northern California, Collier Partners 702 LP Incorporated, Clouse S.A., Consolidated Retirement Fund, IAM Private Equity, LLC, ILGWU Death Benefit Fund 4, International Sif Sicav SA, Locals 302 & 612 Of The International Union Of Operating Engineers – Employers Construction Industry Retirement Trust, Los Angeles City Employees' Retirement System, National Retirement Fund, New Mexico State Investment Council, New Mexico State Investment Council Land Grant Permanent Fund, New Mexico State Investment Council Severance Tax Permanent Fund, New York City Employees' Retirement System, New York City Fire Department Pension Fund, New York City Police Pension Fund, Northeast Carpenters Pension Fund, Pacific Coast Roofers Pension Plan, Sanba II Investment Authority, State Street Bank And Trust Company (As Trustee On Behalf Of American Airlines Master Fixed Benefit Pension Plan Trust); Steamship Trade Association Of Baltimore, Inc. – International Longshoremen's Association (AFL-CIO) Pension Fund, Teachers' Retirement System Of The City Of New York, United Food And Commercial Workers International Union Pension Plan For Employees and Western Conference Of Teamsters Pension Trust (collectively, the "Non-Yucaipa Defendants").

WHEREAS, on October 6, 2021, the Trustee filed the *Litigation Trustee's Complaint to (I) Avoid and Recover Avoidable Transfers, and (II) for a Declaration of Liability Against Yucaipa American Alliance Fund I, LLC (the "Complaint")* [D.I. 1].

WHEREAS, pursuant to the Summons issued in support of the Complaint (the "Summons") [D.I. 3], the deadline for the Non-Yucaipa Defendants to respond to the Complaint was December 1, 2021.

WHEREAS, the Trustee and certain of the Non-Yucaipa Defendants entered into Stipulations extending the deadline for those Non-Yucaipa Defendants to respond to the Complaint

until February 11, 2022, which Stipulations were approved by the Court pursuant to Orders dated December 2, 10, and 26, 2021 [D.I. 9, 21 and 23].

WHEREAS, the Trustee and the Non-Yucaipa Defendants have agreed to further extend the time for the Non-Yucaipa Defendants to respond to the Complaint until March 1, 2022; and

WHEREAS, the Non-Yucaipa Defendants reserve their rights to assert all defenses, including but not limited to those based on personal and subject matter jurisdiction in this adversary proceeding.

NOW, THEREFORE, it is stipulated and agreed to as follows:

1. To the extent not already done so, the Non-Yucaipa Defendants waive service of the Complaint.
2. The Non-Yucaipa Defendants' responses to the Complaint shall be due **on or before March 1, 2022.**
3. The Pre-Trial Conference in the above-captioned adversary proceeding shall be continued until a date/time after March 1, 2022, based on the Court's availability.

[Signatures On Following Pages]

Dated: February 10, 2022

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² The LP Defendants are: American Private Equity Partners II, LP; American Airlines Master Fixed Benefit Pension Plan Trust; California Public Employees' Retirement System; Carpenters Pension Trust for Northern California; Clouse S.A.; Collier Partners 702 LP Incorporated; Consolidated Retirement Fund; IAM Private Equity, LLC; ILGWU Death Benefit Fund 4; International SIF SICAV SA; Locals 302 & 612 Of The International Union Of Operating Engineers – Employers Construction Industry Retirement Trust; National Retirement Fund; New Mexico State Investment Council; New Mexico State Investment Council Land Grant Permanent Fund; New Mexico State Investment Council Severance Tax Permanent Fund; New York City Employees' Retirement System; New York City Fire Department Pension Fund; New York City Police Pension Fund; Northeast Carpenters Pension Fund; Pacific Coast Roofers Pension Plan; Sanba II Investment Authority; State Street Bank And Trust Company (As Trustee On Behalf of American Airlines Master Fixed Benefit Pension Plan Trust); Steamship Trade Association of Baltimore, Inc. – International Longshoremen's; Association (AFL-CIO) Pension Fund; Teachers' Retirement System of the City of New York; United Food and Commercial Workers International Union Pension Plan for Employees; and Western Conference of Teamsters Pension Trust

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